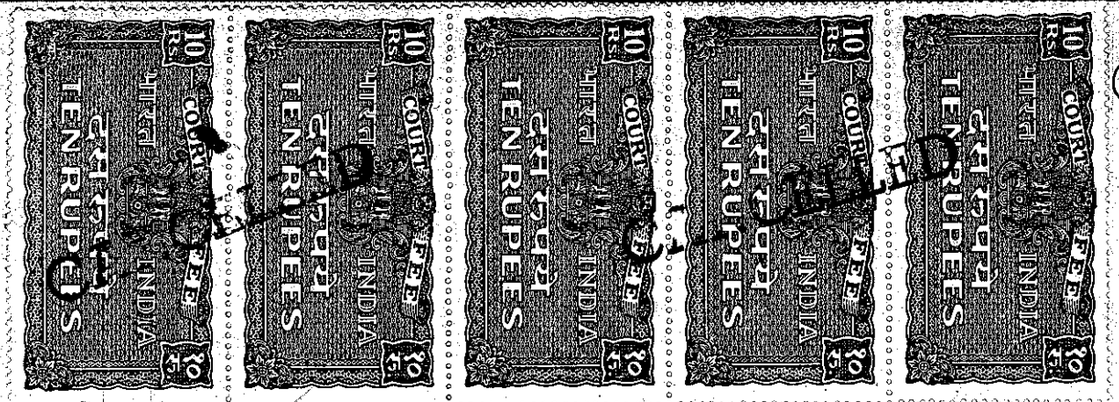

(9)

IN THE HIGH COURT OF JUDICATURE AT BILASPUR

W.P.No. 2418 /2001

PETITIONER : Roshan Lal Agarwal,
S/o Late Budhram Agarwal,
aged about 47 years,
R/o Kirodimal Colony,
Raigarh.

P.R. No. 2420
Presented by Shri R.D. Budhwani
dated 3/11/07

- Versus -

RESPONDENTS : 1. Registrar Public Trust,
Raigarh,
District- Raigarh.

2. The Collector,
Raigarh.

3. Seth Kirodimal Dharmada Trust,
Raigarh,
District- Raigarh.

WRIT PETITION UNDER ARTICLE 226/227 OF THE CONSTITUTION OF INDIA FOR ISSUANCE OF A SUITABLE WRIT, ORDER OR DIRECTION.

(19)

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक W.P. 2418/ सन् 2001

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	4/7/2002	

Shri B.D.Guru for the petitioner.

Shri Ranbir Singh, Govt. Advocate, for respondents No.1 & 2.

Heard.

Though this matter is listed for admission, in view of the limited nature of controversy involved and in view of the prayer of the learned counsel for the petitioner, this petition is being disposed of at the admission stage.

Admittedly, the petitioner is occupying a part of the premises belonging to the Seth Kirodimal Dharmada Charitable Trust. On the basis of a report that the petitioner was carrying on construction activity without permission, the Registrar, Public Trust/respondent No.1 issued a notice to the petitioner to show cause why appropriate action be not taken against him and he be evicted from the house in his occupation. On receiving the notice, the petitioner submitted an objection that the Registrar, Public Trust not being the landlord could not evict the petitioner, who was a tenant of the Trust. This objection was submitted on 20/9/2001. It is the case of the petitioner that without considering the said objection the respondent No.1 is threatening him with eviction.

In view of the fact and circumstances on record and the objection submitted before the respondent no.1, which relates to the jurisdiction of

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(20)

XI-HC-22

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

आदेश पत्रक

मामला क्रमांक W.P.(C) No. 2418/ सन् 2001

विरुद्ध

आदेश का दिनांक आदेश क्रमांक सहित	आदेश हस्ताक्षर सहित	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश

the respondent no.1 to evict the petitioner from the premises in question, this Court thinks it proper to dispose of the writ petition at the stage without entering into the merits of the case.

Accordingly, the writ petition is disposed of by directing respondent no.1 to dispose of the objection filed by the petitioner expeditiously preferably within a period of six weeks from the date of receipt of the order. The petitioner shall appear before the respondent no.1 on 22/7/2002, on which date the said respondent shall fix a date for hearing the petitioner and thereafter, he shall proceed to dispose of the objection in accordance with law. In the meantime, the petitioner shall also not in any way carry on any additional alteration in the premises in question without due permission from the competent authority.

It is made clear that the Court is not expressing any opinion on the merits of the objections raised by the petitioner and the direction herein is only confined to quick disposal of the said objections.

A copy of the order be handed over to the State Counsel.

Certified copy as per rules.

Sd/-
P.C.Naik
Judge

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